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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/790,062

03/02/2004

Shingo Nishioka

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08/23/2006

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EXAMINER

LEWIS, ALICIA M

ART UNIT

PAPER NUMBER

2164

DATE MAILED: 08/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/790,062

Applicant(s)

NISHIOKA ET AL.

Examiner

Alicia M. Lewis

Art Unit

2164

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


SAM RIMELL
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Priority

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Japan on April 9, 2003. It is noted, however, that applicant has not filed a certified copy of the 2003-104771 application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on March 2, 2004 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

3. Claim 4 is objected to because of the following informalities: the word "are" in line 3 should be "is". Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 5 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2164

6. Claim 5 recites the limitation "said associative searching step" in line 5 of the claim. There is insufficient antecedent basis for this limitation in the claim.

7. Claim 512 recites the limitation "said document database in line 6 of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-8 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Takano et al. (US Patent Application Publication 2002/0099685 A1) ('Takano').

With respect to claim 1, Takano teaches:

inputting a search inquiry character train (paragraph 109 lines 1-3);

forming a summary by suing said inquiry character train and forming a summary word list (paragraph 109 lines 6-9);

inputting restricting condition for narrowing down search targets (paragraph 110 lines 4-9, paragraph 115);

searching by using a document database on the basis of the similarity with said summary word list (paragraphs 110 and 111);

examining adaptability of a document whether or not satisfying said restricting condition (paragraph 110); and

outputting search results adapted to said restricting condition among results of said similarity based search (paragraphs 110 and 111).

With respect to claim 2, Takano teaches wherein said restricting condition is an indispensable word which is indispensable for the search target or a taboo word, or a combination of indispensable words and taboo words (paragraphs 94 and 115).

Takano teaches that Boolean expressions are used to modify queries; more specifically he discloses that AND operators may be used. Therefore, all words joined by the AND operator are considered indispensable words because they must all be present in search results.

With respect to claim 3, Takano teaches wherein said restricting condition is a search logical expression (paragraph 94).

With respect to claim 4, Takano teaches wherein a word used for said restricting condition in positive contents is also used as a keyword for an associative search (Figure 6).

Takano discloses in Figure 6 that topic words and keywords are merged, and also that the modified query expression (including restricting conditions, or logical

expressions) is sent to an associative-type database to be searched. It is also obvious that a word used for restricting a query may also be used as a part of a query.

With respect to claim 5, Takano teaches wherein in said step of examining said adaptability, whether said restricting condition is satisfied or not, is discriminated with respect to the search result searched in said associative searching step (Figure 8, paragraphs 110 and 111).

In Figure 8, Takano discloses that the query expression is modified (by restricting conditions) before the query expression is sent to a database to be searched. Therefore, the step of examining adaptability is discriminated with respect to the search result.

With respect to claim 6, Takano teaches wherein in said searching step, a document which satisfies said restricting condition is searched from said document database and its adaptability is examined and, thereafter, a similarity between the document which satisfies the adaptability and said summary word list is calculated, then searching is done on the basis of the similarity (paragraphs 113 and 125-127).

With respect to claim 7, Takano teaches wherein in said step of forming said summary word list, said summary word list is formed from said search inquiry character train and selected documents (Figure 7, steps T31-T35, paragraph 103).

With respect to claim 8, Takano teaches:

an input frame for inputting a search inquiry character train (element 6012 in Figure 1);

a frame for inputting restricting condition for narrowing down search targets (elements 6012 and 6015 in Figure 1, paragraph 71);

means for forming a summary by using said search inquiry character train and forming a summary word list (element 6011 in Figure 1, paragraph 70);

a search button for searching by using a document database of an information searching apparatus on the basis of said summary word list, said search button instructing said information searching apparatus to search in accordance with depression of said search button (elements 1102 and 1103 in Figure 3, paragraphs 27 and 78); and

a search result display frame which receives from said information searching apparatus a search result searched by using said document database and said restricting condition and display said search result (paragraph 27).

With respect to claim 10, Takano teaches a searching server for searching for information, comprising:

importance calculating means for calculating importance of each word among words appearing in a document set on the basis of the frequency of each word in the document set and in said document database (paragraphs 64-65);

summary word candidate holding means for holding the words, as candidates, of the high importance calculated by said importance calculating means (paragraphs 64-65);

a summary word list which is formed as a summary of said search inquiry character train and selected documents being formed by said importance calculating means and said summary word candidate holding means (paragraphs 65 and 111);

similarity calculating means for calculating a similarity between said summary word list and a document stored in a document database (paragraphs 67, paragraph 125 lines 11-13);

restricting condition examining means for examining whether a document in said document database is adapted to a given restricting condition for narrowing down search targets or not (Figure 8, paragraph 110); and

search result candidate holding means for holding results searched from said similarity calculating means and said restricting condition examining means (Figure 8, paragraph 111 lines 12-13).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takano et al. (US Patent Application Publication 2002/0099685 A1) ('Takano') in view of Yang et al. (US Patent Application Publication 2003/0163453 A1) ('Yang').

With respect to claim 9, Takano teaches claim 8.

Takano does not teach wherein the frame for displaying the search result searched by using said document database and the frame for inputting said restricting condition are displayed in parallel onto the same display screen.

Yang teaches a method for narrow search for books on the Internet (see abstract) in which he teaches wherein the frame for displaying the search result searched by using said document database and the frame for inputting said restricting condition are displayed in parallel onto the same display screen (Figure 2, paragraph 11).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Takano by the teaching of Yang because wherein the frame for displaying the search result searched by using said document database and the frame for inputting said restricting condition are displayed in parallel onto the same display screen would enable a method for continuously narrowing down search results (without starting a new search) until either the database is exhausted or desired search results are found (Yang, paragraphs 4 and 7).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Lewis whose telephone number is 571-272-5599. The examiner can normally be reached on Monday - Friday, 9 - 6:30, alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on 571-272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alicia Lewis
August 14, 2006

A handwritten signature in black ink, appearing to read 'Sam Rimell', is positioned above the printed name.

SAM RIMELL
PRIMARY EXAMINER